

Exhibit 2 to the Complaint.

**U.S. Patent No. 7,650,376 v. Dish Network Corporation
Exemplary Claim of Infringement, Claim 37**

Exhibit 2 to the Complaint.

1. Claim Chart

Claim	Analysis
<p>[37.P] A computer readable storage medium or media encoded with one or more computer programs including instructions for effecting the provision of content over a network, comprising</p>	<p>Dish Network Corporation (“Company”) makes, uses, sells, and/or offers to sell a computer-readable storage medium or media encoded with one or more computer programs including instructions for effecting the provision of content over a network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides Sling TV, an app-based TV service ("a computer-readable storage medium or media encoded with one or more computer programs") that allows users to stream live television and on-demand content such as entertainment, sports, and news. Further, Sling TV operates as a virtual multichannel video programming distributor (v-MVPD) that provides video content over the internet (“instructions for effecting the provision of content over a network”).</p> <div data-bbox="426 824 1367 1133" style="border: 1px solid red; padding: 10px; margin: 10px 0;"> <p>What is Sling TV?</p> <p>Sling TV is the first app-based TV service letting you stream live television and on-demand content over the internet. Watch live shows wherever you are, at home or on the go! With Sling TV, you get to choose the television option that's right for you, including Channel Add-ons, Premiums Add-ons, DVR Plus and more. Watching live TV is easier and more affordable with Sling - it's the way TV should be!</p> </div> <p>Source: https://www.sling.com/#:~:text=Sling%20TV%20is%20the%20first,home%20or%20on%20the%20go!</p>

Exhibit 2 to the Complaint.

Live Sports News International **Entertainment** Premiums Freestream

Enjoy endless entertainment

Sling offers a diverse array of **entertainment** shows across various genres for all ages. Whether you're in the mood for captivating **dramas on Bravo**, heartwarming family programs on USA, culinary delights on the Food Network or thrilling **true crime** documentaries, we've got you covered! With our easy-to-use interface and customizable packages, Sling provides a convenient streaming platform for enjoying your favorite entertainment shows, ensuring that you never miss out on the latest episode at home or on the go.

content

Source: <https://www.sling.com/#entertainment> (annotated)

<p>Sling TV (owned by vMVPD DISH) Orange & Blue Package</p>	<p>47 channels (CNN, TBS, ESPN, TNT, USA)</p>	<p>Monthly</p>
---	---	----------------

Source: <https://www.appsflyer.com/glossary/mvpd/>

A Virtual Multichannel Video Programming Distributor (V-MVPD) can offer a broad range of premium video content as any other Cable MSO or a video service provider over the Internet, but without having to own any network infrastructure. Today, OTT players like

Exhibit 2 to the Complaint.

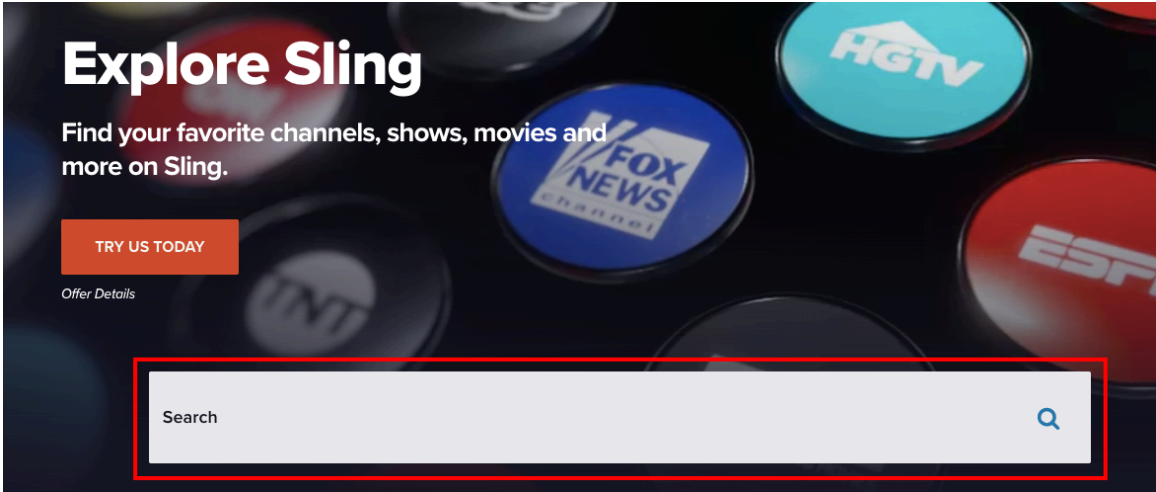
	<p>Source: https://www.infosys.com/industries/communication-services/white-papers/documents/virtual-multichannel-video-programming.pdf, Page 2</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[37.1] instructions for receiving a request from a client for specified content</p>	<p>Company provides instructions for receiving a request from a client for specified content.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Sling application presents various content options along with search functionality that allows users (“a client”) to select or search (“request from a client”) for the desired content (“specified content”) such as various channels, shows, and movies.</p>  <p>Source: https://www.sling.com/search</p>

Exhibit 2 to the Complaint.

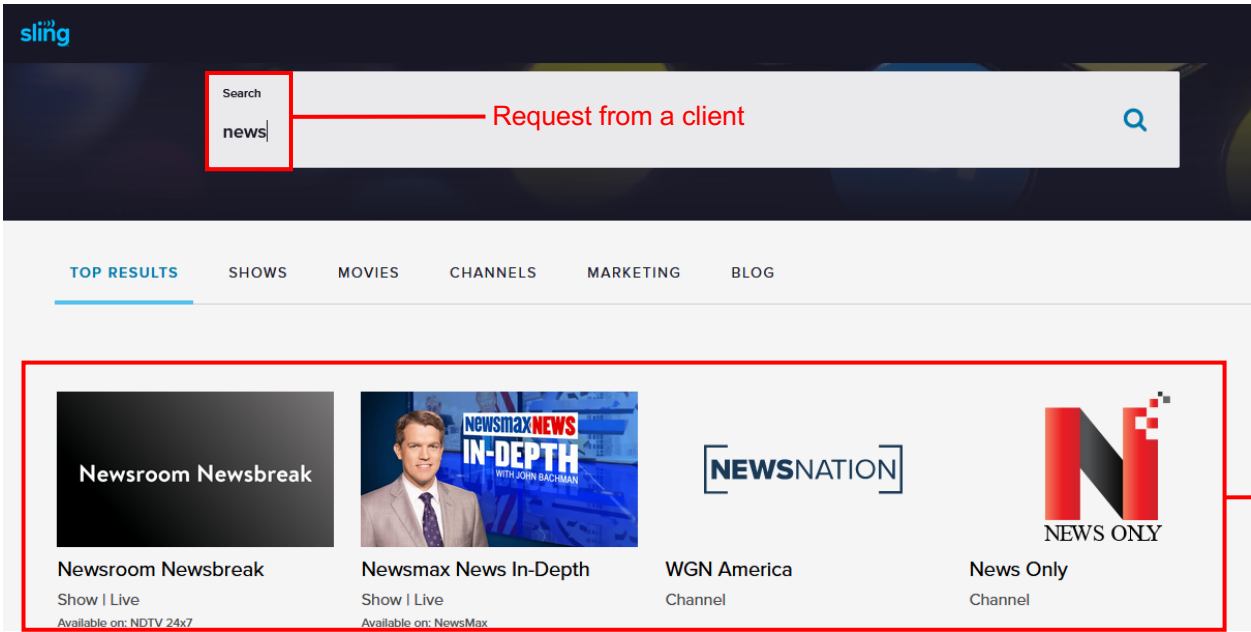
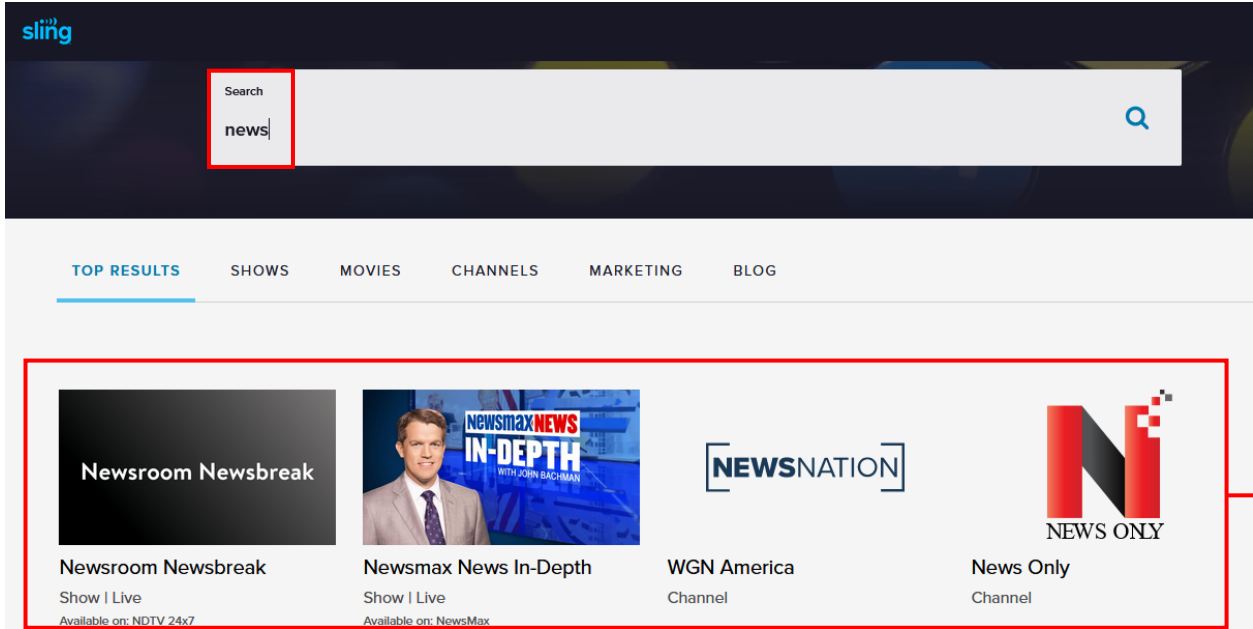
	 <p>Source: https://www.sling.com/search (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[37.2] instructions for communicati ng to the client the identity of a node server having the specified</p>	<p>Company provides instructions for communicating to the client the identity of a node server having the specified content stored thereon, thereby enabling the client to request transmission of the specified content from the node server.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when the user requests the content, the Sling application searches for the requested content within its servers such that the user accesses the content from the identified server (or content provider) (“a node server having the specified content stored thereon”). Since the requested content is presented to the user through the Sling TV application over the internet, upon information and belief, the application comprises instructions for communicating to the users the identity of the node server, thereby enabling the client to request transmission of the specified content from the node server.</p>

Exhibit 2 to the Complaint.

content stored thereon, thereby enabling the client to request transmission of the specified content from the node server; and



Source: <https://www.sling.com/search> (annotated)

Specified content

Exhibit 2 to the Complaint.



Exhibit 2 to the Complaint.

0:35 When you select a show, our service locates the converted video within

0:38 our servers, which we're gonna call point A. Your device is point B. Once the file is located,

0:44 we send it through the internet to your screen.

0:46 As the file moves from point A to B, it bounces off of several relay points, or gateways,

0:51 on its way to your house.

0:52 The number of gateways is determined by multiple factors,

0:56 including the company that provides your internet

Source: <https://www.youtube.com/watch?v=ZouosTxhufQ>

Exhibit 2 to the Complaint.

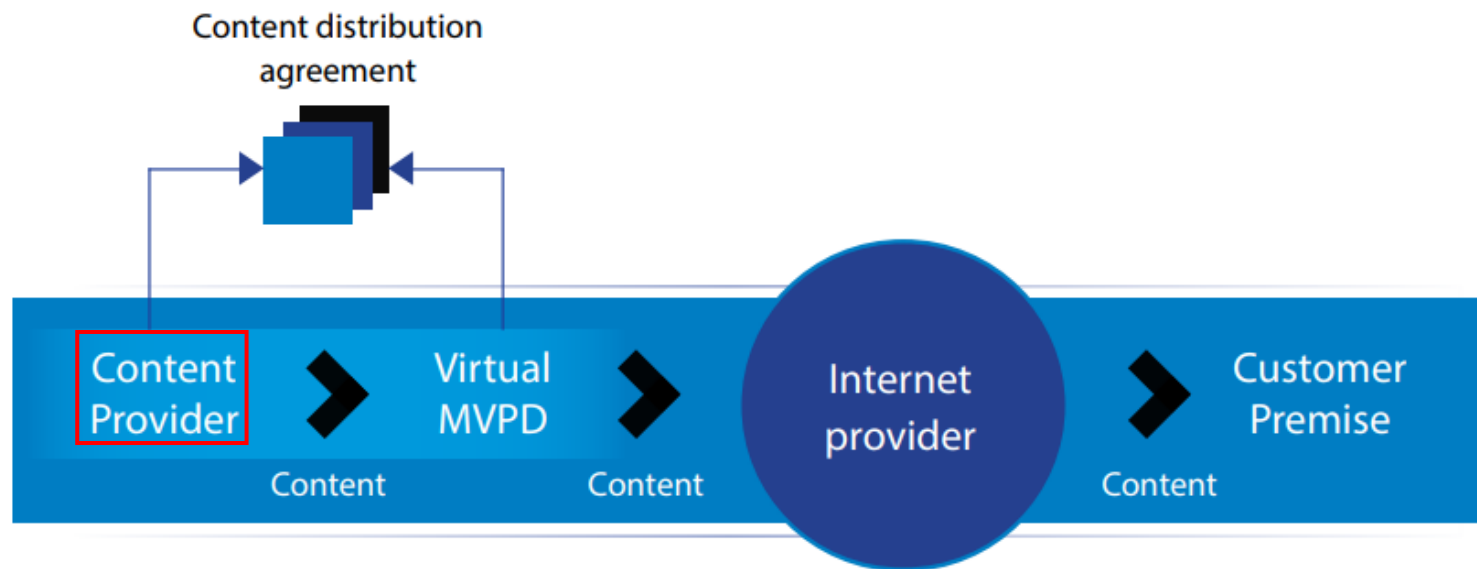


Figure 1: V-MVPD

Source: <https://www.infosys.com/industries/communication-services/white-papers/documents/virtual-multichannel-video-programming.pdf>, Page 3

Exhibit 2 to the Complaint.

How does a Virtual-MVPD work?

A Virtual MVPD operates in the same way as an MSO by acting as a content service provider, without any constraints of directly owning the network infrastructure for content delivery. They

1. Sign up content distribution agreement with multiple providers.
2. Host the content for streaming via 3rd party internet.
3. Provide a streaming device at the customer premise to receive the content securely. Some of them pre-integrate this with TV manufacturers.
4. Stream the content through customer's choice of broadband provider.
5. Bill the customer on a subscription/ transaction basis for the content

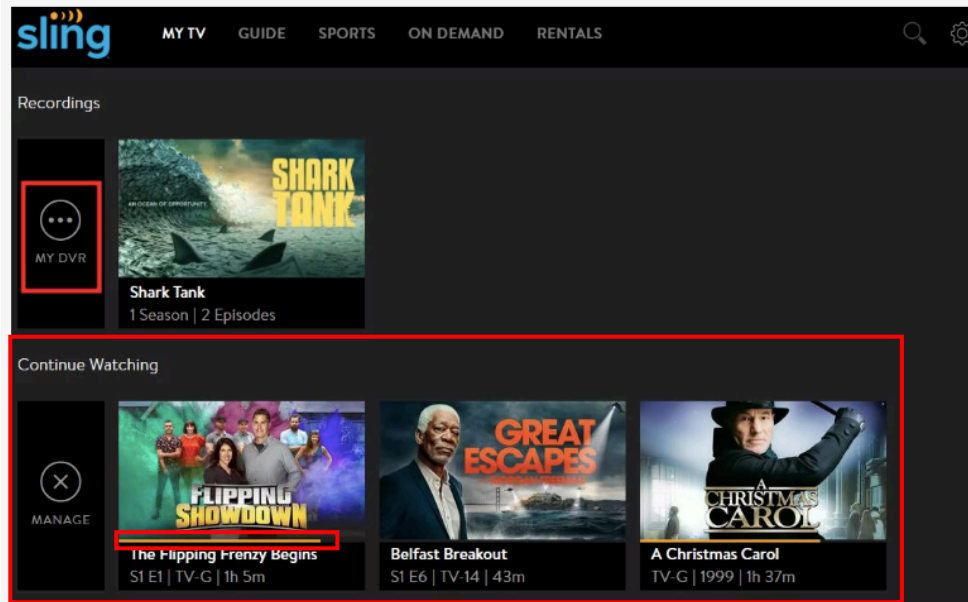
Exhibit 2 to the Complaint.

	<p>Source: https://www.infosys.com/industries/communication-services/white-papers/documents/virtual-multichannel-video-programming.pdf, Page 3</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[37.3] instructions for ascertaining that the node server transmitted the specified content to the client, wherein an owner of the node server is offered an incentive as compensation for transmission of the specified content to the client.</p>	<p>Company provides instructions for ascertaining that the node server transmitted the specified content to the client, wherein an owner of the node server is offered an incentive as compensation for transmission of the specified content to the client.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when the user searches for the content, the application identifies the server where the content is stored and securely delivers the requested content to the user. Further, the application comprises a feature of 'continue watching' that allows users to resume watching their content from where they left off. Therefore, it would be apparent to a person having ordinary skill in the art that the application includes instructions for ascertaining that the node server transmitted the specified content to the user.</p> <p>Furthermore, the application provides multiple subscription plans for the user to access the content provided in the application such that the user is billed for accessing the content. Therefore, it would be apparent to a person having ordinary skill in the art that Sling TV ("an owner of the node server") receives an incentive as compensation for transmitting the specified content to the client.</p>

Exhibit 2 to the Complaint.

	<p>0:35 When you select a show, our service locates the converted video within</p> <p>0:38 our servers, which we're gonna call point A. Your device is point B. Once the file is located,</p> <p>0:44 we send it through the internet to your screen.</p> <p>0:46 As the file moves from point A to B, it bounces off of several relay points, or gateways,</p> <p>0:51 on its way to your house.</p> <p>0:52 The number of gateways is determined by multiple factors,</p> <p>0:56 including the company that provides your internet</p>	<p>the node server transmitted the specified content to the client</p>
<p>Source: https://www.youtube.com/watch?v=ZouosTxhufQ (annotated)</p>		

Exhibit 2 to the Complaint.



CONTINUE WATCHING or clear your viewing history

If you're watching an on demand show, or the channel you are watching offers the *Replay* feature, you can enjoy the benefits of the **CONTINUE WATCHING ribbon**. Simply pause the show you are watching, and when you're ready to finish, visit this ribbon to resume your show.

Source: <https://www.sling.com/help/en/learn-about-sling/using-sling/my-tv#:~:text=BROWSER-.CONTINUE%20WATCHING%20or%20clear%20your%20viewing%20history,ribbon%20to%20resume%20your%20show>

Exhibit 2 to the Complaint.




Sling TV Services

No annual contracts. Customize with extras.

Orange

~~\$40/mo~~ **\$15**
\$25 off your first month

32 total channels including
7 exclusive Sports and Family channels



What's included

Stream on 1 device at a time ⓘ




ADD ORANGE

COMPARE PLANS

Blue

~~\$45/mo~~ **\$20**
\$25 off your first month

42 total channels including
17 exclusive News and Entertainment channels



What's included

Stream on 3 devices at a time ⓘ

ADD BLUE

COMPARE PLANS

Subscription plans

Source: <https://www.sling.com>

Exhibit 2 to the Complaint.

How does a Virtual-MVPD work?

A Virtual MVPD operates in the same way as an MSO by acting as a content service provider, without any constraints of directly owning the network infrastructure for content delivery. They

1. Sign up content distribution agreement with multiple providers.
2. Host the content for streaming via 3rd party internet.
3. Provide a streaming device at the customer premise to receive the content securely. Some of them pre-integrate this with TV manufacturers.
4. Stream the content through customer's choice of broadband provider.
5. Bill the customer on a subscription/ transaction basis for the content

Exhibit 2 to the Complaint.

	<p>Source: https://www.infosys.com/industries/communication-services/white-papers/documents/virtual-multichannel-video-programming.pdf, Page 3</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
--	--

Exhibit 2 to the Complaint.

2. List of References

1. <https://www.sling.com/#:~:text=Sling%20TV%20is%20the%20first,home%20or%20on%20the%20go!>, last accessed on May 16, 2024.
2. <https://www.sling.com/#entertainment>, last accessed on May 16, 2024.
3. <https://www.sling.com/search>, last accessed on May 16, 2024.
4. <https://www.youtube.com/watch?v=ZouosTxhufQ>, last accessed on May 16, 2024.
5. <https://www.sling.com>, last accessed on May 16, 2024.
6. <https://www.appsflyer.com/glossary/mvpd/>, last accessed on May 16, 2024.
7. <https://www.infosys.com/industries/communication-services/white-papers/documents/virtual-multichannel-video-programming.pdf>, last accessed on May 16, 2024.